

ORIGINAL

1

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

3 RINALDO RIZZO,

4 Plaintiff,

5 -against-

6 DF LAND LLC, GLENN DUBIN, Individually, EVA
7 DUBIN, Individually, and BRENDA AMES,
Individually,

8 Defendants.

9 Index No.: 13-CIV-8664

10
11 1633 Broadway
12 New York, New York

13 July 8, 2015
14 9:39 a.m.

15 DEPOSITION of RINALDO RIZZO, taken
16 pursuant to Notice, before Sadie L. Herbert,
17 a RPR and Notary Public of the State of New
18 York.

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21
22
23 ELLEN GRAUER COURT REPORTING CO. LLC
24 126 East 56th Street, Fifth Floor
New York, New York 10022
25 212-750-6434
REF: 110252

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2 that's how he responded to me.

3 Q Okay. And then you would type it in?

4 A Correct.

5 Q And how many times -- and this was
6 infrequent; right?

7 A Infrequent.

8 Q Do you know how many times you engaged
9 in this activity of sending an e-mail on
10 Mr. Dubin's behalf?

11 A No, I do not.

12 Q Was it less than five times?

13 A No.

14 Q Was it less than ten times?

15 A No.

16 Q Where was Mr. Dubin when you would
17 engage in these activities?

18 A With me.

19 Q Was he standing next to you?

20 A He would usually be in his office and
21 he would either holler at me or tell me, "Look
22 at your e-mail, I sent you something." And so I
23 would look at my e-mail or he'd tell me which
24 e-mail, and I'd holler down the hall back at
25 him.

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2 Q And this was at North Salem?

3 A North Salem, Colorado and in Florida.

4 Q So he would holler, you said, to use
5 your words, so he would holler down the hall,
6 and what would he say to you?

7 A There's an e-mail that I need you to
8 look at, there's something on your e-mail I sent
9 you, print what Amanda sent you, you'll see it
10 on your e-mail, various, along those lines.

11 Q And then what would you do when you
12 printed the e-mail?

13 A Well, I'd have to open up the file
14 first, because the files required security
15 codes. So I would have to get those security
16 codes first, I would open up the files, enter
17 the security code, and print them out, see if
18 they were correlated in the right sequence and
19 then put them on his desk.

20 Q And then what would happen next with
21 these documents that you printed for Mr. Dubin
22 and gave to him?

23 A It depended on whether he responded or
24 not.

25 Q And what if he did respond?

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2 taken care of for --

3 A Yes.

4 Q Okay. But was that for Gleneagles
5 Equestrian or was it for Hickory Hills Farm or
6 do you not know?

7 A I can't -- I can't answer that
8 question.

9 Q Do you know whether Gleneagles
10 Equestrian -- or strike that.

11 Do you know how much revenue Gleneagles
12 Equestrian had in a year?

13 A No, I do not.

14 Q Do you know how many employees
15 Gleneagles Equestrian had?

16 A No, I do not.

17 Q What's 1090 North Lake Way, LLC?

18 A That's Mr. Dubin's business in Florida.

19 Q And what's that business?

20 A I don't know what that business is. I
21 just know it's an LLC.

22 Q Okay. Is it a holding company for the
23 Palm Beach estate business that Mr. Dubin owns?

24 A I can't answer that question.

25 Q So you have no idea what it is?

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2 A (Nonverbal response.)

3 Q Do you know what its revenues were in a
4 year?

5 A No, I do not.

6 Q Do you know how many employees it had?

7 A No, I do not.

8 Q What work did you do for this
9 1090 North Lake Way?

10 A As we've discussed, the same thing as I
11 would at the other properties.

12 Q Was it estate management in Florida, as
13 opposed to estate management in New York?

14 A In addition to the other duties, yes.

15 Q Okay. What's DFGlobal LLC?

16 A From my understanding, the private
17 flight company that Mr. Dubin operates, which
18 has been changed to many different names.

19 Q Do you know whether Mr. Dubin or his
20 wife own the DFGlobal LLC?

21 A No, I do not have knowledge of that.

22 Q Do you know whether any Dubin-related
23 entity owns DFGlobal LLC?

24 A I don't have knowledge of that.

25 Q Where is DFGlobal LLC located?

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2 A I do not know.

3 Q I may have asked this question, did you
4 do any duties for Parkview Holding that were
5 different than the duties you described for
6 DFGlobal?

7 A I don't believe so.

8 Q And how many employees did Parkview
9 have?

10 A I don't have that knowledge.

11 Q And how much revenue did it have?

12 A Sorry, I don't have that knowledge.

13 Q What is Castleton Ranch LLC?

14 A Castleton Ranch is the 3,000-acre
15 farming agricultural property in Colorado, which
16 is also, from my understanding, to the best of
17 my knowledge, is also Ranch Properties LLC.

18 Q And so is Castleton Ranch LLC the
19 holding company for the Colorado property?

20 A I don't have that knowledge.

21 Q Do you know whether Glenn Dubin owns
22 Castleton Ranch LLC?

23 A To the best of my knowledge, I believe
24 so.

25 Q Do you have any evidence suggesting he

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2 does or doesn't?

3 A At this time --

4 MR. ROSE: Objection.

5 You can answer.

6 A At this time, I don't recall that I do.

7 Q Okay. Do you know whether any
8 Dubin-owned entity owns Castleton Ranch, LLC?

9 A To my knowledge, no, the only evidence
10 that I would have would be work-related
11 documents that was provided by Highbridge
12 Capital Management to me while I was at that
13 property.

14 Q What were the work-related documents
15 that were provided to you?

16 A E-mails.

17 Q Is that -- is that what you discussed
18 earlier today -- is that what you testified
19 about earlier today with the e-mails from
20 Highbridge?

21 A Yes.

22 Q Okay. And what work did you do for
23 Castleton Ranch LLC?

24 A I was told by the ranch manager, Lowell
25 and Janet Inman, that since Mrs. Dubin did not

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2 want to hire sufficient employees, that I would
3 be required to do domestic duties, which
4 include -- included cooking, cleaning, and I
5 would be working 17 to 18 hours a day while I
6 was there. In addition, as I stated earlier, I
7 had to address all IT and phone issues with the
8 property, including -- and including driving.

9 Q Okay. And what was the purpose of the
10 business Castleton Ranch LLC?

11 A The only thing I -- agriculture,
12 that's --

13 Q Do you know what it did, though, do you
14 know what kind of agriculture was involved, what
15 was the purpose of --

16 A To the best of my knowledge, hay
17 production, the horse production, horse rearing.

18 Q Do you know if it had any revenues?

19 A Yes, I do, but I do not know what that
20 revenue is.

21 Q Do you know where the revenue was
22 generated from?

23 A From agricultural activities, but I
24 don't know where.

25 Q Do you know what it sold, do you know

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2 it had come back.

3 (Defendant's Exhibit 28, E-mail,
4 Bates Stamped Def_001240, was
5 marked for identification.)

6 Q So this is a February 20th e-mail that
7 you sent to Glenn and Brenda about your wife's
8 illness.

9 Do you see that?

10 A Yes.

11 Q Did this e-mail come after your
12 conversation with Glenn or before?

13 A I believe -- I believe so.

14 Q So this e-mail was -- like, you spoke
15 to Glenn and then you sent this e-mail
16 afterwards; is that right?

17 A I believe that is correct.

18 Q So can you tell me about the
19 conversation with Glenn, first, where was the
20 conversation?

21 A In Palm Beach.

22 Q At his estate in Palm Beach?

23 A Yes.

24 Q Okay. And was anybody else present
25 during this conversation?

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2 A No, they weren't.

3 Q And how long was the conversation?

4 A To the best of my recollection, over
5 30 minutes, if not more.

6 Q Okay. And what did -- if you can tell
7 me, what did you and Glenn talk about with
8 respect to your wife's illness?

9 A He had asked me to look after his
10 mother and I had been working, if not three
11 weeks straight without a single day off, and I
12 brought it to his attention that I would be
13 happy to help out in any way that I could, but I
14 wanted him to be aware that if he asked me to
15 stay -- then I basically told him about my
16 wife's health, because I would have to leave --
17 I would want to leave to take care of my wife
18 and look after my daughter.

19 Q Had you been down in Florida for the
20 past couple weeks --

21 A Yes, I had.

22 Q -- preceding this?

23 A Yes, I had.

24 Q And what did Glenn say to you when you
25 told him that?